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10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

12 KORRELL SANTANA COLE,
13 Plaintiff,
14 v.
15 LOS ANGELES COUNTY, et al.,
16 Defendants.

CASE NO. 2:23-cv-10392-SB-PD

Hon. Stanley Blumenfeld, Jr.

**DEFENDANTS' *EX PARTE*
APPLICATION FOR COUNSEL OF
RECORD ALAINA BIRD TO
APPEAR IN LIEU OF LEAD
COUNSEL ANDREW BAUM AT
DECEMBER 16, 2024 HEARING**

*Declarations of Andrew Baum and
Alaina Bird and [Proposed] Order filed
concurrently herewith*

**[DISCOVERY MATTER FOR
DETERMINATION BY
HON. PATRICIA DONAHUE]**

**TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF
RECORD:**

PLEASE TAKE NOTICE that Defendants Robert Luna, Andrew Palencia, Brian Pineda, Sergio Palacios, and Clayton Stelter (“Defendants”) hereby apply *ex parte* pursuant to Local Rule 7-19 for an order authorizing Alaina Bird, counsel of record for Defendants, to appear and argue at the December 16, 2024 hearing set by the Honorable Patricia Donahue (Dkt. 82) in lieu of Andrew Baum, lead counsel of record for Defendants.

Mr. Baum will be out of the country on December 16, and Ms. Bird will be available to appear in person at the December 16 hearing and prepared to argue on behalf of Defendants.

Notice of this Application was provided as required under Local Rule 7-19, the Honorable Stanley Blumenfeld, Jr.’s Standing Order, and Magistrate Judge Donahue’s local rules on the Court’s website. Defendants’ counsel called Plaintiff’s counsel this morning to notify him of this Application, and he stated that Plaintiff would not oppose the Application.

This Application is based on this notice, the accompanying memorandum of points and authorities, the Declarations of Andrew Baum and Alaina Bird, and the pleadings and papers on file in this action.

DATED: December 10, 2024

GLASER WEIL FINK HOWARD
JORDAN & SHAPIRO LLP

By: /s/ Andrew Baum
ANDREW BAUM
ALAINA BIRD

*Attorneys for Defendants
Robert Luna, Andrew Palencia, Brian
Pineda, Sergio Palacios, and Clayton
Stelter*

MEMORANDUM OF POINTS AND AUTHORITIES

Defendants Robert Luna, Andrew Palencia, Brian Pineda, Sergio Palacios, and Clayton Stelter (“Defendants”) respectfully apply to this Court *ex parte* for an order authorizing Alaina Bird, counsel of record for Defendants in this action, to appear and argue at the December 16, 2024 hearing set by the Honorable Patricia Donahue in lieu of Andrew Baum, lead counsel of record for Defendants in this action.

Magistrate Judge Donahue’s local rules on the Court’s website do not contain a requirement that lead counsel attend all hearings; however, the Honorable Stanley Blumenfeld, Jr.’s Standing Order provides that lead counsel must attend all proceedings set by the Court. Accordingly, in an abundance of caution, Defendants submit this Application for the Court’s consideration. Mr. Baum will be out of the country on December 16, 2024 and thus will be unable to attend the hearing set by Magistrate Judge Donahue that day at 9:00 a.m. in Courtroom 580 of the Roybal Federal Courthouse with respect to Plaintiff’s motions at Dkts. 71 and 72 (*see* Dkt. 82). (Declaration of Andrew Baum (“Baum Declaration” or “Baum Decl.”) ¶ 3.) Ms. Bird will be available to attend the hearing in person and prepared to argue on behalf of Defendants. (Declaration of Alaina Bird (“Bird Declaration” or “Bird Decl.”) ¶ 3.)

With respect to the notice required under Local Rule 7-19, the last known name, address, telephone number, and email address of Plaintiff’s counsel is as follows: Stephen Yagman; Yagman + Reichmann, LLP, 333 Washington Blvd., Venice Beach, CA 90292-5152; (310) 452-3200; filing@yagmanlaw.net. Defendants’ counsel notified Plaintiff’s counsel of this Application this morning pursuant Local Rule 7-19, Judge Blumenfeld’s Standing Order, and Magistrate Judge Donahue’s local rules on the Court’s website. (Bird Decl. ¶ 4.) Defendants’ counsel called Plaintiff’s counsel and informed him that Defendants would be filing this Application today, December 10, 2024, for an order authorizing Ms. Bird to appear in lieu of Mr. Baum at the December 16, 2024 hearing before Magistrate Judge Donahue. (*Id.*) Plaintiff’s counsel stated that Plaintiff would not oppose this Application. (*Id.*)

Accordingly, Defendants respectfully request that the Court enter an order authorizing Ms. Bird to appear in lieu of Mr. Baum at the December 16, 2024 hearing.

DATED: December 10, 2024

GLASER WEIL FINK HOWARD
JORDAN & SHAPIRO LLP

By: /s/ Andrew Baum
ANDREW BAUM
ALAINA BIRD

*Attorneys for Defendants
Robert Luna, Andrew Palencia, Brian
Pineda, Sergio Palacios, and Clayton
Stelter*

Glaser
Weil

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 11-6.2

The undersigned, counsel of record for Defendants Robert Luna, Andrew Palencia, Brian Pineda, Sergio Palacios, and Clayton Stelter, certifies that this brief contains 365 words, which complies with the word limit in Local Rule 11-6.1 and the Honorable Stanley Blumenfeld, Jr.'s Standing Order.

DATED: December 10, 2024

GLASER WEIL FINK HOWARD
JORDAN & SHAPIRO LLP

By: /s/ Andrew Baum
ANDREW BAUM
ALAINA BIRD

*Attorneys for Defendants
Robert Luna, Andrew Palencia, Brian
Pineda, Sergio Palacios, and Clayton
Stelter*

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